


S rial Number 	Application No. 10/036,676	Applicant(s) WITTAK, CHRISTIAN et al.	

TERMINAL DISCLAIMER <input checked="" type="checkbox"/> APPROVED <input type="checkbox"/> DISAPPROVED				
The term of this patent shall not extend beyond the expiration date of U.S. Patent No:	6,477,193	6,690,704	6,442,181	
The term of this patent subsequent to the adjacent date has been disclaimed.				
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**TERMINAL DISCLAIMER TO OBTAIN A PROVISIONAL DOUBLE PATENTING
REJECTION OVER A PENDING SECOND APPLICATION**

Docket Number (Optional)

TERMINAL DISCLAIMER

APPROVED

In re Application of: Christian Wittak, et al.

Application No.: 10/036,676

Filed: December 21, 2001

For: **FOUR KHz GAS DISCHARGE LASER SYSTEM**

MAY 13 2004

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The owner, CYMER, INC., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on XX pending second Application Number 09/854,097, filed on May 11, 2001, of any patent on the the pending second application. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

2. ☒ The undersigned is an attorney or agent of record.

RENEE PRESTON 
PARALEGAL SPECIALIST
TECHNOLOGY CENTER 2800

Signature

11/13/03

Date

William Cray, Reg. No. 27,627

Typed or printed name

(858) 385-7185

Telephone Number

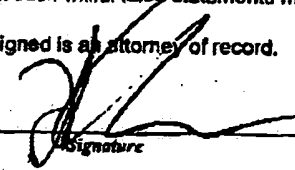

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) is included.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

*Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).
Form PTO/SB/86 may be used for making this statement. See MPEP § 324.

This collection of information is required by 37 CFR 1.321. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

If you need assistance in completing this form, call 1-800-PTO-9199 and select option 2.

Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent			Docket No. 2001-0092-01
In Re Application Of: Christian Wittak, et al.			
Serial No. 10/036,676	Filing Date 2828	Examiner L. Al Nazer	Group Art Unit 2828
Invention: FOUR KHz GAS DISCHARGE LASER SYSTEM			
TERMINAL DISCLAIMER APPROVED			
MAY 13 2004			
Owner of Record: CYMER, INC.			
TECHNOLOGY CENTER 2800 SPECIAL PROGRAM CENTER			
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u>			
<p>The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,477,193. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney of record.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;">  _____ William Cray, Reg. No. 27,627 <i>Typed or Printed Name</i> </div> <div style="text-align: right;"> Dated: November 13, 2003 RENEE PRESTON  PARALEGAL SPECIALIST TECHNOLOGY CENTER 2800 </div> </div> <div style="margin-top: 10px;"> <input type="checkbox"/> Terminal disclaimer fee under 37 C.F.R. 1.20(d) included. <input type="checkbox"/> PTO suggested wording for terminal disclaimer was unchanged. <input type="checkbox"/> Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee. </div>			

**TERMINAL DISCLAIMER TO OBVIATE A PROVISIONAL DOUBLE
PATENTING REJECTION OVER A PENDING SECOND APPLICATION**

Docket No.

2001-0092-01

In re Application of: **Christian J. Wittak et al.**

APPROVED

Application No. **10/036,676**Filed: **December 21, 2001**

MAY 13 2004

For: **FOUR KHz GAS DISCHARGE LASER SYSTEM**

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The owner, **Cymer, Inc.**, of **100.00** percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number **10/056,619**, filed on **January 23, 2002**.

The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant, in the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

Check either box 1 or 2, if appropriate:

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2. ☒ The undersigned is an attorney of record.

3. Owner/applicant is ☐ Small entity ☒ Large entity

The terminal disclaimer fee under 37 CFR 1.20(d) is **\$110.00** and is to be paid as follows:

☐ A check in the amount of the fee is enclosed.

☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number **03-4060**. A duplicate copy of this sheet is enclosed.

PTO suggested wording for terminal disclaimer was

☒ unchanged ☐ changed (if changed, an explanation should be supplied.)

Dated: **February 24, 2004**

Name and Address of Person Signing

William C. Cray, Reg. No. 27,627**Cymer, Inc.****Legal Department - M/S 4-2C PARALEGAL SPECIALIST****17075 Thornmint Court TECHNOLOGY CENTER 2800****San Diego, California 92127-2413****Telephone: (858) 385-7185****Facsimile: (858) 385-6025**

I certify that this document and fee is being deposited on **2/24/04** with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

Sarah J. Briggs
Signature of Person Mailing Correspondence

Sarah J. Briggs

Typed or Printed Name of Person Mailing Correspondence

P28/REV01

TERMINAL DISCLAIMER TO OBLIATE A PROVISIONAL DOUBLE PATENTING REJECTION OVER A PENDING SECOND APPLICATION

Docket No.

2001-0092-01

In re Application of: Christian J. Wittak et al.

APPROVED

Application No. 10/036,676

Filed: December 21, 2001

MAY 13 2004

For: FOUR KHz GAS DISCHARGE LASER SYSTEM

TECHNOLOGY CENTER 2800

SPECIAL PROGRAM CENTER

The owner, Cymer, Inc. of 100.00 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second Application Number 10/187,336 filed on June 28, 2002. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and any patent granted on the second application are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of any patent granted on the second application, as shortened by any terminal disclaimer filed prior to the patent grant. In the event that any such granted patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 CFR 1.321, has all claims cancelled by a reexamination certificate, is reissued, or in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

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☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 03-4060. A duplicate copy of this sheet is enclosed.

PTO suggested wording for terminal disclaimer was

☒ unchanged ☐ changed (if changed, an explanation should be supplied.)

Dated: February 24, 2004

Name and Address of Person Signing

William C. Cray, Reg. No. 27,627

Cymer, Inc.

Legal Department - M/S 4-2C

17075 Thornmint Court

San Diego, Calif 92127-2413

Telephone: (858) 385-7185

Facsimile: (858) 385-6025

RENEE PRESTON

PARALEGAL SPECIALIST

TECHNOLOGY CENTER 2800

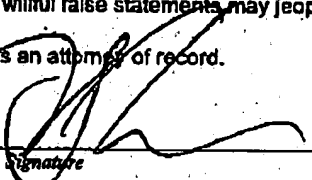
I certify that this document and fee is being deposited on 2/24/04 with the U.S. Postal Service as first class mail under 37 C.F.R. 1.8 and is addressed to the Assistant Commissioner for Patents, Washington, D.C. 20231.

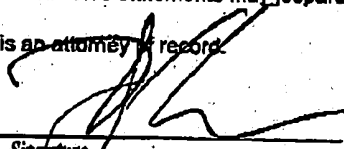
Sarah J. Briggs
Signature of Person Mailing Correspondence

Sarah J. Briggs

Typed or Printed Name of Person Mailing Correspondence

P28REV01

Terminal Disclaimer To Obviate A Double Patenting Rejection Over A Prior Patent			Docket No. 2001-0092-01
In Re Application Of: Christian J. Wittak et al.			
Serial No. 10/036,676	Filing Date December 21, 2001	Examiner L. Al Nazer	Group Art Unit 2828
Invention: FOUR KHz GAS DISCHARGE LASER SYSTEM			
TERMINAL DISCLAIMER APPROVED MAY 13 2004			
Owner of Record: Cymer, Inc.			
TECHNOLOGY CENTER 2800 SPECIAL PROGRAM CENTER			
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u>			
<p>The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,690,704. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney of record.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;">  _____ William C. Cray <small>Typed or Printed Name</small> </div> <div style="text-align: right;"> Dated: February 24, 2004 RENEE PRESTON PARALEGAL SPECIALIST TECHNOLOGY CENTER 2800 </div> </div> <p><input checked="" type="checkbox"/> Terminal disclaimer fee under 37 C.F.R. 1.20(d) included. <input checked="" type="checkbox"/> PTO suggested wording for terminal disclaimer was unchanged. <input type="checkbox"/> Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee.</p>			

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TERMINAL DISCLAIMER APPROVED			
Owner of Record: Cymer, Inc.		MAY 13 2004 TECHNOLOGY CENTER 2800 SPECIAL PROGRAM CENTER	
<u>TO THE ASSISTANT COMMISSIONER FOR PATENTS:</u>			
<p>The above-identified owner of record of a 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior Patent No. 6,442,181. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors and/or assigns.</p> <p>In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.</p> <p>Check either box 1 or 2 below, if appropriate.</p> <p>1. <input type="checkbox"/> For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.</p> <p>I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.</p> <p>2. <input checked="" type="checkbox"/> The undersigned is an attorney of record.</p> <div style="display: flex; justify-content: space-between; align-items: flex-end; margin-top: 20px;"> <div style="text-align: center;">  _____ Signature William C. Cray Typed or Printed Name </div> <div style="text-align: right;"> Dated: February 24, 2004 </div> </div> <div style="text-align: right; margin-top: 20px;"> RENEE PRESTON PARALEGAL SPECIALIST TECHNOLOGY CENTER 2800 </div> <div style="margin-top: 20px;"> <input checked="" type="checkbox"/> Terminal disclaimer fee under 37 C.F.R. 1.20(d) included. <input type="checkbox"/> PTO suggested wording for terminal disclaimer was unchanged. <input type="checkbox"/> Certification under 37 C.F.R. 3.73(b) is required if terminal disclaimer is signed by the assignee. </div>			